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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/754,814	01/04/2001	Jean-Jacques Yaouanc	102.170A	3475

7590

02/05/2003

Bierman, Muserlian and Lucas  
600 Third Avenue  
New York, NY 10016

EXAMINER

EPPS, JANET L

ART UNIT

PAPER NUMBER

1635

DATE MAILED: 02/05/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

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*Response to Amendment*

The amendment to the claims filed on 11-21-02 does not comply with the requirements of 37 CFR 1.121(c) because the amendment to claims 1 and 4 are not consistent with originally filed claims 1 and 4. The terms "chains" and "chain" have been removed from the claims, however there is no instruction set forth in Applicant's amendment to remove these terms.

For example, amended claim 1 recites wherein "R2 and R4 are alkyl or 1 to 4 carbon atoms." However, the original claim 1 recites wherein "R2 and R4 are alkyl **chains** or 1 to 4 carbon atoms." Additionally, original claim 4 recites "an alkyl or alkenyl **chain containing** from 10 to 22 carbon atoms," however amended claim 4 provides no instruction to remove the limitations "chain containing from."

Amendments to the claims filed after March 1, 2001 must comply with 37 CFR 1.121(c) which states:

(c) Claims.

(1) Amendment by rewriting, directions to cancel or add: Amendments to a claim must be made by rewriting such claim with all changes (e.g., additions, deletions, modifications) included. The rewriting of a claim (with the same number) will be construed as directing the cancellation of the previous version of that claim. A claim may also be canceled by an instruction.

(i) A rewritten or newly added claim must be in clean form, that is, without markings to indicate the changes that have been made. A parenthetical expression should follow the claim number indicating the status of the claim as amended or newly added (e.g., "amended," "twice amended," or "new").

(ii) If a claim is amended by rewriting such claim with the same number, the amendment must be accompanied by another version of the rewritten claim, on one or more pages separate from the amendment, marked up to show all the changes relative to the previous version of that claim. A parenthetical expression should follow the claim number indicating the status of the claim, e.g., "amended," "twice amended," etc. The parenthetical expression "amended," "twice amended," etc. should be the same for both the clean version of the claim under paragraph (c)(1)(i) of this section and the marked up version under this paragraph. The changes may be shown by brackets (for deleted matter) or underlining (for added matter), or by any equivalent marking system. A marked up version does not have to be supplied for an added claim or a canceled claim as it is sufficient to state that a particular claim has been added, or canceled.

(2) A claim canceled by amendment (deleted in its entirety) may be reinstated only by a subsequent amendment presenting the claim as a new claim with a new claim number.

Since the reply filed on \*\*\* appears to be *bona fide*, applicant is given a TIME PERIOD of **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is

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longer, within which to submit an amendment in compliance with 37 CFR 1.121 in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Janet L Epps-Ford, Ph.D. whose telephone number is 703-308-8883. The examiner can normally be reached on M-T, Thurs-Friday 9:00AM to 7:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John LeGuyader can be reached on (703)-308-0447. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-3014 for regular communications and 703-746-5143 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0196.

Janet L Epps-Ford, Ph.D.  
Examiner  
Art Unit 1635

*JLE*  
January 30, 2003

  
SEAN MCGARRY  
PRIMARY EXAMINER

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